School Division and District Amalgamation

RESOURCE MANUAL

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FOREWARD

This resource manual has been prepared by Manitoba Education, Training and Youth in consultation with representatives of the Manitoba Association of School Business Officials, the Manitoba Association of School Superintendents, and the Manitoba Association of School Trustees to provide practical guidance to amalgamating school divisions.[1] We thank these Associations for their valuable advice in the preparation of the resource manual.

1. INTRODUCTION

This manual provides information on important topics, identifies key dates, lists some common questions and proposes activity timetables to assist local authorities in developing an effective planning framework to amalgamate the partner school divisions.

Local circumstances must be taken into account in all aspects of the amalgamation process. This document does not attempt to cover every issue involved in this complex undertaking. As other key issues are identified, bulletins will be issued for the information of all parties involved.

This document provides specific direction regarding amalgamation in Sections 2 and 3, and in Section 9. The remainder of the document's content is advice to school boards, or a reiteration of existing procedures.

Throughout this document the school boards currently involved in the process of amalgamation are referred to as **"amalgamating boards"**. The term **"interim board"** is used to refer to the board that will act as the board of the new school division from the summer of 2002 until after the trustee elections in October 2002. The term **"new board"** is used to refer to the school board elected in October 2002 to govern the new school division for the following four years.

2. SCHEDULING AND MONITORING ESSENTIAL ACTIVITY

Timing is one of the most sensitive components of the amalgamation process. Complete integration of the new divisional structure cannot be accomplished prior to the actual date of amalgamation, and numerous tasks will remain to be undertaken after the formal date of amalgamation. Recognizing that not

[1] Reference to school divisions includes school districts.

everything can be accomplished at once, priority must be placed on essential activities.

A timetable should be developed by the amalgamating boards identifying the tasks that have to be completed, with provision for regular monitoring and reporting of progress.

Milestone Dates

New legislation dealing with school division amalgamation will be introduced in the Spring Session of the Manitoba Legislature, with a view to its proclamation prior to July 1, 2002.

November 8, 2001	Announcement of amalgamations
January 15, 2002	Announcement of 2002/03 school division funding
March 1, 2002	Establish the new school division's name, ward structure and the number of trustees
March 15, 2002	Existing school divisions set the special levy
March 31, 2002	Existing school division budgets
July 1, 2002	The interim school board assumes responsibility for the new school division
July 1, 2002	Beginning of the school division fiscal year
End of August	Beginning of the school year
October 23, 2002	Election of trustees to govern the new school division

Key Questions for Consideration:

1. What are the major tasks that have to be undertaken?

2. What structures and processes have to be put into place to accomplish these tasks successfully?

3. When do these tasks have to be completed and who is responsible?

4. How will progress be monitored?

3. GOVERNANCE

The dates below assume passage of new legislation dealing with school division amalgamation prior to July 1, 2002. This legislation and supporting regulations will include the following provisions:

- The total number of trustees in each school division will be not fewer than five or more than nine, with the exceptions of the Frontier School Division and la Division scolaire franco-manitobaine. These divisions may have a maximum of 11 trustees.

- All school divisions will be required to use a ward structure in accordance with the provisions of Section 57 of The Public Schools Act dealing with the composition of wards.

- Amalgamating boards must determine the number of trustees and the ward structure of the new division by March 1, 2002.

- Amalgamating boards must also decide upon a name for the new division. Decisions about the new division name are expected to occur by March 2002.

- Public consultation on the new school division's name, number of trustees and ward structure is strongly encouraged.

- All school trustees of amalgamating boards continue to serve in their current capacities until June 30, 2002.

- On July 1, 2002 an interim board of trustees, composed of trustees from each of the amalgamating divisions, will be granted the authority to operate the new division until the school board elected in October 2002 assumes office.

- The amalgamating boards will determine the composition of the interim board. The amalgamating boards will also determine the number of trustees on the interim board. There is no limit on the number of current trustees that may serve on the interim board.

- When the interim board assumes responsibility for the new jurisdiction, the amalgamating boards will cease to exist as legal entities. Trustees from the amalgamating boards who are not members of the interim boards will have no legal role after June 30, 2002.

Key Questions for Consideration:

1. How many trustees should serve on the board of the new division?

2. How many wards are required? How many trustees should there be in each ward?

3. What geographic, demographic and representational factors need to be taken into account in determining the ward structure?

4. What consultative process will be implemented to decide the name, number of trustees and ward structure for the new school division?

4. BOARD POLICIES AND PROCEDURES

Establishing and maintaining board policies is the responsibility of the elected board of every school division. In preparing for amalgamation, it may be beneficial to distinguish between policies dealing with board procedures and those dealing with divisional operations.

Board Procedures: The interim board and the new board will require agreed-upon procedural policies to enable them to function effectively. It is therefore recommended that procedural bylaws and policies be reviewed and a harmonized set of board procedures prepared before the end of June.

Amalgamating boards may also decide the indemnities to be paid to board members whose service terminates with the establishment of the interim board, as well as indemnities to be paid to members of the interim board.

A reciprocal invitation from each board to attend and observe an amalgamating partner's board meeting may be helpful preparation for developing procedures for the new board that draw on the traditions and strengths of the current boards.

Operational Policies: The task of aligning operational board policies will also need to be addressed but may require more extensive deliberation. The nature of these policies may include bussing, extra-curricular activities, school use outside of school hours, disciplinary practices, etc. Until an alignment of these policies is achieved, the existing operational policies of the amalgamating divisions may be maintained on an interim basis. Determining the nature of school-level governance is also an important consideration in the review of operational policies.

Key Questions for Consideration:

1. What plan is required to prepare new board procedures for the new school board to follow?

2. What plan will be used to align operational board policies?

See Appendix 1: Action Guideline — Governance

5. ADMINISTRATIVE STRUCTURE AND PERSONNEL

A key task for any school board is defining the structure and identifying the personnel of the administrative team to lead the new school division. During the amalgamation process school boards retain and can choose to exercise their powers as an employer as they see fit.

Successful integration will depend very heavily on the response to staff concerns and needs. Effectively communicating with affected employees and letting all employees know that their concerns will be considered and addressed to the greatest extent possible is essential.

Amalgamation may result in the elimination of some jobs and change to others. School boards have an obligation to treat employees fairly during this time of transition. If a position is eliminated, the board should consider providing a severance payment and other transitional support to the affected employee.

Providing organizational leadership during the process of amalgamation is a significant challenge. During this period, many staff will face uncertainty about their place in the new organization that is being created, while at the same time they will be called upon to take the lead in efficiently implementing this change.

The board's primary responsibility is to ensure that a highly capable leadership team is in place to guide their school division. If key decisions regarding administrative structure and personnel assignments are deferred to the new board, the protracted period of uncertainty may compromise the ability of professional administrators to carry out the challenging tasks associated with amalgamation.

Careful consideration should be given to the advantages of defining a new organizational chart and identifying the personnel who will fill key positions as soon as possible.

To support this key area of decision-making, each of the amalgamating divisions will need to detail the nature of the central services provided, the type and level of staffing, and the facilities and resources utilized by the divisional offices. Existing staffing levels may best be represented by organizational charts that identify the number of positions, position titles and classification levels. This approach will facilitate a comparative analysis of the number of existing positions at each staffing level, the nature of reporting relationships and help identify the extent of classification harmonization issues. It may also be beneficial to develop individual employee profiles outlining employee qualifications, experience, strengths and career aspirations.

When this review of existing administrative structures is complete, the focus should move to identifying the number and type of departments that will be required, the core functions and responsibilities of those departments, and the number and type of senior management positions required within the new amalgamated division. When the staffing needs of the amalgamated division are determined and new position descriptions are developed, an organizational chart may be used to identify the available positions within the new administrative structure.

The Public Schools Act requires that a secretary-treasurer be officially appointed to serve the new school division effective July, 2002.

6. LEADERSHIP DURING THE TRANSITION

Careful planning is required to ensure the success of this change process while continuing to attend to the on-going operational issues of the current boards.

Guiding Principles

Establishing guiding principles at the outset can provide a strong foundation for dialogue and decision-making and help ensure both a successful transition and effective integration of school divisions.

While guiding principles can help any organization to establish focus, these principles take on greater significance in a context of organizational change by linking decision-making to fundamental values. The following guiding principles may be useful as a starting point for discussion as school divisions approach the amalgamation process:

1. Sustain a focus on the best educational interests of all students, now and in the future.

2. Keep all parties informed with timely, relevant and clear communication throughout the amalgamation process.

3. Consider the perspectives of all stakeholders in making decisions about integrating functions and activities.

4. Treat the amalgamation process as an opportunity to create positive partnerships that build on the strengths of each of the partner divisions.

5. Demonstrate shared leadership by establishing effective transition strategies to the benefit of all parties.

6. Work to develop and sustain respectful relationships that build trust and support the long-term success of the new school division.

Board Objectives

Amalgamating boards may decide to discuss and articulate key objectives to be worked towards through the process of amalgamation. These objectives might include:

- expanding and improving learning opportunities for students
- ensuring effective local governance and community representation
- improving community involvement and interaction
- the continuation of essential services
- maximizing the use of available resources
- creating value through a synergistic and strategic use of organizational capabilities, skills and knowledge
- enhancing efficiency in service delivery

Organizational Culture

Organizational culture is about the people who work in them, their values, their relationships, and how they do things. One of the most important tasks

of leadership is to create and maintain an effective organizational culture. One of the most difficult and important tasks of amalgamating school divisions will be the creation of a new organizational culture.

The examination of the organizational culture of the amalgamating divisions in order to identify compatibilities and significant differences is an essential early task. The much longer and more difficult task is to create a new organizational culture in the amalgamated division. Appreciation of the importance of culture will reduce barriers to effective long-term integration since amalgamation usually involves significant cultural change.

Dealing with cultural change within an organizational is a day-to-day leadership challenge. Recognizing that transitions begin with endings and that feelings of loss are inevitable in a context of change will support staff in dealing with change. Organizations that appreciate that people make new beginnings only after they have internally worked through an ending will strengthen opportunities for positive responses within a changing environment.

Within the context of organizational change, staff may experience a movement through various stages of loss. These stages include shock, denial, anger, bargaining, depression and acceptance. These stages do not follow a linear path and it is natural to move back and forth among these stages. When organizations support and recognize transitions as an internal psychological process where people come to terms with new situations, opportunities to successfully implement changes are enhanced.

Communication

Change creates anxiety as well as opportunity. The most effective way to deal with this is to tell people about what is happening, why, and to involve them as much as possible in the decisions to be made.

A comprehensive communications strategy that addresses the information needs of all concerned is fundamental to the success of the amalgamation process. The communication strategy must recognize the need for early communication, the need to communicate differently with different audiences, and include opportunities for input and involvement by those parties most likely to be affected by the changes.

The communication strategy should involve external (with parents and the community) and internal (with staff and students) publics. Ideally, divisional communications will be integrated with those of partner groups, eg. parents,

to ensure consistent messages reach affected groups and the concept of a team effort is reinforced.

Features of an effective communications plan include:

- identifying all stakeholders and audience groups including parents, students, teachers, other employees, trustees and community members
- determining the method of communication to be used (e.g. public meetings, news releases, newspaper reports, newsletters, meetings with stakeholder groups, reports or informational brochures)
- planning the timing of communications (e.g. immediately following board meetings, monthly bulletins, regular meetings with stakeholder groups)
- recognizing the importance of positive informal communication practices
- providing opportunities for interaction as the process proceeds

Leading the Process

To prepare for the appointment of the Interim Board, a Steering Committee should be established made up of trustees and key administrators from the amalgamating divisions. This Steering Committee should address the needs for both leadership and management direction during the amalgamation process. To be effective, amalgamating boards must be willing to acknowledge and support the recommendations of the Steering Committee.

Steering Committee responsibilities related to the leadership function may include:

- discussing, recommending and overseeing transition objectives and priorities
- dealing with contentious issues
- keeping the involved boards fully informed
- communicating with and informing the public as required
- determining how resources will be assigned to support the planning and implementation efforts

Steering committee responsibilities related to the management function may include:

- developing school division profiles
- overall administration of the transition plan
- facilitating appropriate working relationships between the amalgamating divisions
- providing overall administrative direction pertaining to functional responsibilities
- monitoring and reporting on the progress of task forces or teams and on the overall status of the transition plan
- ensuring that divisional operations continue to function effectively throughout the transition process

Establishing Working Groups

Establishing working groups may be useful to deal with critical issues and functions to support implementation activities. These groups should be issue-driven, have well-defined roles and responsibilities and consist of individuals with a high degree of credibility, skills and knowledge related to the assigned area. Representatives of stakeholder groups may be appointed to working groups where appropriate.

7. SCHOOL DIVISION PROFILES

Constructing profiles of the amalgamating school divisions will provide key information to support effective decision-making. The nature of the information contained in the profiles should include individual division and consolidated totals where applicable concerning:

- Financial information such as
  1) Financial Statement for 2000-2001
  2) Budget for 2001-2002
  3) Provincial Funding Printout 2000-2001 Actual
  4) Provincial Funding Printout 2001-2002 Budget
  5) Assessment 2001 Actual
  6) Assessment 2002 (when established)
  7) Municipal Mill Rate(s) 2001
  8) Municipal Mill Rate (s) 2002 (when established)

- The number of existing trustees and wards, electorate populations and trustee representation as a percentage of the electorate population.

- The organizational charts and number of division staff by position (Superintendents, Secretary-Treasurers, Transportation/Maintenance Supervisors, Coordinators, Clinicians, Clerical, etc.).

- Enrolment reports by school and grade level.

- Transported pupil reports by school.

- Number of students receiving special needs funding by level, number of principals, teachers, resource staff, guidance counselors, teaching assistants, special education paraprofessionals, school secretaries and librarians.

- Number of classes by grade level and number of F.T.E. teachers by age distribution.

- Transportation data — number of buses and routes, total kilometers, loaded kilometers, number of students transported and mechanic and bus driver positions.

- Maintenance data — number of schools, square footage, maintenance positions including maintenance foreman, custodians, sweepers and contract cleaners.

8. OPERATIONAL ISSUES

Facilities

An examination of current facilities, equipment and property related to existing divisional administration operations will also be required. A facilities review and development of a physical space plan will include consideration of:

- the potential location(s) of the amalgamated division board office

- whether the existing facilities in one division may accommodate the amalgamated division board operations and if so, whether renovations are required

- whether it is necessary to terminate existing lease agreements and what costs will be incurred as a consequence

- if it is feasible to lease new facilities
- if property and buildings will be sold

Key Questions for Consideration:

1. What staffing levels currently exist in each division and where?
2. What is the nature of the experience, qualifications and aspirations of staff?
3. What central office services and functions are currently being provided in each school division?
4. Which services and functions will be required by the amalgamated school division?
5. What management structure will best serve the amalgamated school division?
6. What staffing levels and other resources are needed to accommodate the amalgamated divisional administration structure?

See Appendix 2: Action Guideline — Division Administration

Transportation

Amalgamation will require an examination of how transportation policies, procedures and practices can be integrated and managed in an efficient and cost-effective manner.

School divisions either operate board-owned or leased school buses, or provide student busing through contracts with private transportation companies.

Key Questions for Consideration:

1. What is the profile of the bus fleet in each of the amalgamating divisions?
2. How are transportation policies and practices the same and different?

3. What will be the student transportation needs of the amalgamated division?

4. How will bus scheduling and routing need to be changed?

See Appendix 3 — Action Guideline - Transportation

Systems Integration

A plan for the integration of the building, computer, administrative support and office systems of the amalgamating school divisions will be required to ensure continuity of operations and services. School divisions may find this process closely linked to the budget process.

Key Questions for Consideration:

1. Where are existing systems the same and different?

2. What are the strengths and weaknesses of existing systems?

3. How long will it take to integrate and align systems?

4. Which systems should be integrated and aligned first?

See Appendix 4 — Action Guideline - Systems Integration

9. FINANCE

Budgeting and Taxation

Budget and taxation issues will be a primary concern for all those involved in amalgamation. School divisions will be required to prepare a budget for the 2002/2003 school year and set a special levy mill rate for the 2002 calendar year based on existing school division boundaries and enrolment. Timelines and information regarding this aspect of the budgeting process will be consistent with the existing budget cycle including the March 15 deadline for setting of a mill rate.

For 2002/2003, the first year of amalgamation, budgets and funding for the amalgamated school division will be calculated by adding together the stand-alone budgets and funding of the amalgamating school divisions into one.

Starting with the 2003/2004 school year, budgets and funding will be based on the boundaries and enrolment data of the amalgamated school division.

In setting their 2002 mill rate, school divisions need to consider any implications of the differential mill rate legislation under which an amalgamated school division may need to operate. This legislation allows boards to take up to three years to harmonize mill rates within the new school division. This harmonization process can continue through calendar years 2003, 2004, and 2005, with fully harmonized mill rates first realized in 2006.

Amalgamating school divisions may find it helpful to develop an estimated 2002/2003 budget for the new school division simultaneously with the development of their 2002/2003 stand-alone school division budgets. The department will provide school divisions with funding projections for the amalgamated school division.

Amalgamating school divisions may find that the budget development process will naturally lead into, or support, the identification of many of the issues and actions necessary to completing the amalgamation process.

Cost Limits

To encourage a focus that directs available resources to classrooms, all school divisions are subject to administrative cost limits of 4% in Winnipeg and Brandon, 4.5% in rural Manitoba and 5% in the North. These limits on administrative costs include dollars budgeted for general administration, costs of administering transportation services, operations and maintenance, curriculum consulting and development costs. These administrative cost limitations do not apply to costs incurred for special needs services. Additional information on the definition of administrative costs will be provided from the Schools Finance Branch following consultation with the FRAME Committee.

These administrative cost limits are expected to be met by 2003/04.

Key Questions for Consideration:

1. How are the budgeting processes the same and different in terms of determining priorities and allocating resources?

2. How are expenditure priorities the same and different?

3. How can the budgets of each amalgamating school division be developed in a cooperative fashion?

4. Will there be differentiated mill rates?

See Appendix 5 — Action Guideline - Budgeting and Taxation

Assets and Liabilities

A detailed inventory of assets and liabilities will need to be conducted and documented in each school division to support the transfer of assets and liabilities to the amalgamated school division. It will be necessary to ensure that the amalgamated school division has adequate insurance coverage.

Key Questions for Consideration:

1. What are the assets and liabilities of each school division?

2. Which assets are likely to be surplus in the amalgamated division?

3. Who is responsible for the liabilities?

4. What insurance coverage is required to protect the assets?

(Note: disposition decisions regarding central board office land and buildings, as well as any acquisition of instructional space, require Public Schools Finance Board authorization).

See Appendix 6 — Action Guideline - Assets and Liabilities

10. SCHOOL PROGRAMS AND SERVICES

Parents and teachers will, of course, be most concerned about the effect of amalgamation on school programs and services. Decisions will have to be made regarding the type and nature of school programs and services that will be available in the schools in the amalgamated division.

In order to protect existing school programs, the Province will require that there be no school closures in the affected divisions before September 1, 2005. The process described in the School Closure Guidelines will continue to apply.

Key Questions for Consideration:

1. To what extent are the existing programs and services in schools the same or different?

2. To what extent should school programs and services be harmonized across the amalgamated school division?

3. What resources are required to harmonize programs and services?

4. Over what period of time should this occur?

See Appendix 7 — Action Guideline - School Programs and Services

11. CONTRACTS AND COLLECTIVE AGREEMENTS

Provincial legislation describes the rights and obligations of employers and employees when a merger or amalgamation occurs (The Labour Relations Act, Successor Rights, Part III). These rights will apply in all cases.

When a merger or amalgamation takes place, the new employer steps into the shoes of the former employer. The union retains its bargaining rights and the employer inherits all of the old employer's obligations towards the union. Any existing collective agreements remain in effect until new agreements are negotiated and ratified.

In cases where amalgamation results in different bargaining units representing workers, the Labour Board can be asked to amend the description of the bargaining unit and determine which union should represent the employees. The Labour Board can also give directions to remove any inconsistencies between the two collective agreements that have occurred as a result of the intermingling of the two groups of employees.

To facilitate the ability to develop an effective approach to the harmonization of these contracts and agreements, it will be useful to conduct a comparative analysis. This analysis should include identifying:

- consistent provisions, clauses and contract language between agreements

- conflicting provisions or provisions that are inconsistent from one agreement to another

- provisions existing in one agreement but absent in another

- the financial impact of aligning agreements
- provisions or language that affect amalgamation

12. DISPUTE RESOLUTION

Current boards that are not able to agree on issues are responsible for finding a means to resolve their differences. If the boards are not able to do so, the Minister may appoint an arbitrator with the expenses borne equally by the disputing boards.

To provide new school divisions with an initial period of boundary stability, the Board of Reference will not hear boundary change or transfer applications from residents in the affected divisions prior to September 1, 2004.

APPENDIX 1

GOVERNANCE

Action Guideline

	2001	2002									
Actions	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT
Determine the new division ward structure and boundaries											
Determine the total number of trustees of the new school division											
Establish the composition of an interim board of trustees											
Implement a consultative process to generate a division name											
Develop a process and select the new division name											
Interim board assumes governance role of the new division											
Perform a comparative analysis and evaluation of **procedural** board policies											
Perform a comparative analysis and evaluation of **operational** board policies											
Election of new board of trustees											

APPENDIX 2

DIVISION ADMINISTRATION

Action Guideline

	2001	2002									
Actions	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT
Prepare an inventory of existing central office services, functions, staffing levels and facilities											
Conduct a comparative review of existing division administrative operations											
Determine what central office services and functions will exist in the amalgamated division administration model											
Determine the new organizational structure of the amalgamated division*											
Identify the management and other staff needed to support the new administrative structure*											
Analyze existing space, furniture and equipment in relation to needs											
Develop a space plan and timeline to integrate central office operations											

* It is recommended that these be dealt with as soon as possible.

APPENDIX 3

TRANSPORTATION

Action Guideline

	2001	2002									
Actions	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT
Inventory existing student transportation needs											
Analyze bus routes and schedules											
Conduct a vehicle inventory											
Determine transportation policies of amalgamated division											
Determine resource allocations and develop an implementation plan											

APPENDIX 4

SYSTEMS INTEGRATION

Action Guideline

	2001	2002									
Actions	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT
Conduct a comparative analysis of system capabilities											
Determine amalgamated system needs											
Integrate accounting and purchasing systems											
Integrate computer systems											
Integrate telecommunications											
Integrate records management											

BUDGETING AND TAXATION

Action Guideline

	2001	2002									
Actions	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT
Develop and submit 2002/2003 school year budgets for existing school divisions											
Analyze impact on funding as an amalgamated school division											
Determine differential mill rate requirements (if any)											
Set 2002 Special Levy Mill Rates											
Develop and submit 2001/2002 financial statements for existing school divisions											

APPENDIX 6

ASSETS AND LIABILITIES

Action Guideline

	2001	2002									
Actions	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT
Compile assets and liabilities inventory for each school division											
Develop a plan to transfer assets and liabilities to the new school division (physical, financial)											
Develop a disposal plan for surplus assets											

APPENDIX 7

SCHOOL PROGRAMS AND SERVICES

Action Guideline

	2001	2002									
Actions	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT
Undertake comparative analysis of existing programs and services											
Identify program and service gaps and priorities in the amalgamated division											
Determine resource requirements related to the priorities											
Determine timeframe for the integration and harmonization of programs and services											